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L.L.P.

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April 24, 1998

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Ms. Magalie R. Salas
Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

RECEIVED

APR 24 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: Notice of Ex Parte Communication Regarding
Interconnection and Resale Obligations Pertaining to
Commercial Mobile Radio Services, CC Docket No. 94-54**

**Notice of Ex Parte Communication Regarding the
Broadband Personal Communications Services Alliance
of the Personal Communications Industry Association,
Petition for Forbearance (filed May 22, 1997), DA No. 97-
1155**

Dear Ms. Salas:

Yesterday, on behalf of the Telecommunications Resellers Association ("TRA"), the undersigned of Hogan and Hartson L.L.P. and David Gusky, Vice President and Director of Wireless Services, Telecommunications Resellers Association, met with John Cimko, Chief, and Nancy Boocker, Deputy Chief, of the Policy Division of the Wireless Telecommunications Bureau regarding the referenced proceedings.

The points included in the attached summary were made during the meeting.

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Ms. Magalie R. Salas

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I have hereby submitted two copies of this notice for each of the referenced proceedings to the Secretary, as required by the Commission's rules. Please return a date-stamped copy of the enclosed (copy provided).

Please contact the undersigned if you have any questions.

Respectfully submitted,

A handwritten signature in cursive script, reading "Linda L. Oliver".

Linda L. Oliver
Counsel for Telecommunications
Resellers Association

Enclosure

cc: John Cimko
Nancy Boocker



Telecommunications
Resellers
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TELECOMMUNICATIONS RESELLERS ASSOCIATION

Essential Points to Include in Order on Wireless Resale

The Telecommunications Resellers Association (TRA) urges the Commission to include certain important points in any order issued in the PCS forbearance petition proceeding or on reconsideration of the wireless resale sunset.¹

A. The Commission must make clear the value of wireless resale to competition and consumers.

B. The Commission, in accordance with its wireless resale rules, must make it clear it will not tolerate any direct or indirect restrictions on wireless resale. These restrictions include, but are not limited to:

1. Failure of a carrier to offer prospective resellers **resale agreements**.
2. Refusal of a carrier to offer prospective resellers computer-generated **billing tapes**, which resellers need to electronically generate individual bills for their customers.
3. Refusal of a carrier to offer resellers the same **bundled service packages**, such as a discounted cellular phone and airtime, or voice mail and airtime, which they offer their retail customers.
4. Refusal of a carrier to offer resellers the same **volume discounts** on airtime which they offer their own retail customers.

C. The Commission must make it clear that it will take strong enforcement actions against any CMRS provider that is failing to meet its obligations under the resale requirement. These actions may include, but are not limited to:

1. Expedited action on complaints by wireless resellers.
2. Forfeiture proceedings.
3. Denial of additional applications for licenses or for renewal of existing licenses.
4. Commencement of license revocation proceedings.

¹Broadband Personal Communications Services Alliance of the Personal Communications Association, Petition for Forbearance (filed May 22, 1997), DA No. 97-115; Interconnection and Resale Obligations Pertaining to Commercial Mobile Radio Services, CC Docket No. 94-54.